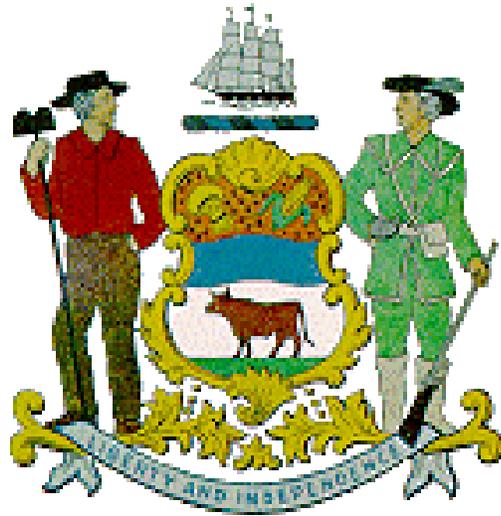


Delaware's



Domestic Violence Coordinating Council

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**•Delaware Statute creating the Domestic Violence
Coordinating Council**

TITLE 13, CHAPTER 21. DOMESTIC VIOLENCE COORDINATING COUNCIL

§ 2101. Creation.

The General Assembly hereby creates a permanent Domestic Violence Coordinating Council.

§ 2102. Composition.

The Council shall consist of 16 members as follows: (1) The Chief Judge of the Family Court; (2) One member of the House of representatives appointed by the Speaker of the House of Representatives; (3) One member of the Senate appointed by the President Pro Tempore of the Senate; (4) The Attorney General; (5) The Public Defender; (6) A cabinet level official designated by the Governor; (7) A representative of the law-enforcement community appointed by the secretary of the Department of Public Safety; (8) The Chairperson of the Domestic Violence Task Force of the Delaware Commission for Women; (9) A representative of the health care community designated by the Board of Medical Practice; (10) The President Judge of the Superior Court; (11) An at-large member representing the advocacy community appointed by the Commission on Family Law; (12) The Commissioner of the Department of Correction; (13) The Director of the Division of Family Services; and (14) Three at-large members elected by the Council at the first meeting of each calendar year.

§ 2103. Purpose; powers; duties.

The Council shall: (1) Continuously study court services and procedures, law enforcement procedures and protocol, and criminal justice data collection and analysis as it relates to domestic violence; (2) Effectuate coordination between agencies, departments and the courts with victims of domestic violence and abuse; (3) Promote effective prevention, intervention and treatment techniques which will be developed based upon research and data collection; (4) Recommend standards for treatment programs for perpetrators of domestic violence to the Department of Health and Social Services, Department of Services for Children, Youth and Their Families and the Department of Correction; (5) Review and comment upon legislation relating to domestic violence introduced in the General Assembly at the request of any member of the General Assembly or on its own initiative; and (6) Improve the response to domestic violence and abuse so as to reduce the incidents thereof.

§ 2104. Meetings; quorum; officers; committees; procedure.

(a) The Council shall meet at least 4 times per year. Seven members shall constitute a quorum. (b) The Chairperson shall have the duty to convene and preside over meetings of the Council and prepare an agenda for meetings. (c) The Chief Judge of the Family Court

shall convene the initial meeting of the Council. (d) At the initial meeting of the Council a Chairperson and Vice Chairperson shall be elected by the Council members. Thereafter, in December of each year, the Council shall elect a Chairperson and Vice Chairperson. The Vice Chairperson's duty shall be to act as chairperson in the absence of the Chairperson. (e) The Council shall establish committees composed of Council members and other knowledgeable individuals, as it deems advisable, to assist in planning, policy, goal and priority recommendations and developing implementation plans to achieve the purposes of the Council.(f) The Council shall promulgate rules of procedure governing its operations, provided that they are in accordance with Chapters 100 and 101 of [Title 29](#), and provided that no rule shall permit proxy voting.(g) The Council shall submit a written report of its activities and recommendations to the Governor, General Assembly and the Chief Justice of the Supreme Court at least once every year on or before September 15.

•*Protection From Abuse Statute*

PART D. PROTECTION FROM ABUSE PROCEEDINGS

Title 10, § 1041. Definitions.

The following terms shall have the following meanings: (1) "Abuse" means conduct which constitutes the following: a. Intentionally or recklessly causing or attempting to cause physical injury or a sexual offense, as defined in § [761](#) of [Title 11](#); b. Intentionally or recklessly placing or attempting to place another person in reasonable apprehension of physical injury or sexual offense to such person or another; c. Intentionally or recklessly damaging, destroying or taking the tangible property of another person; d. Engaging in a course of alarming or distressing conduct in a manner which is likely to cause fear or emotional distress or to provoke a violent or disorderly response; e. Trespassing on or in property of another person, or on or in property from which the trespasser has been excluded by court order; f. Child abuse, as defined in [Chapter 9](#) of [Title 16](#); g. Unlawful imprisonment, kidnapping, interference with custody and coercion, as defined in [Title 11](#); or h. Any other conduct which a reasonable person under the circumstances would find threatening or harmful. (2) "Domestic violence" means abuse perpetrated by one member against another member of the following protected classes: a. Family, as that term is defined in § [901\(9\)](#) of this title, regardless, however, of state of residence of the parties; or b. Former spouses, a man and a woman co-habiting together with or without a child of either or both, or a man and a woman living separate and apart with a child in common.(3) "Petitioner" means: a. A person who is a member of a protected class and files a petition alleging domestic violence against such person or against such person's minor child or an infirm adult; b. The Division of Child Protective Services acting in the interest of a minor child and files a petition alleging domestic violence; or c. The Division of Adult Protective Services acting in the interest of an infirm adult and files a petition alleging domestic violence. (4) "Protective order" means an order issued by the court to a respondent restraining said respondent from committing domestic violence against the petitioner, or a person in whose interest a petition is brought, and may include such measures as are necessary in order to prevent domestic violence. (5) "Respondent" means the person alleged in the petition to have committed the domestic violence.

§ 1042. Commencement of action; procedure.

(a) A request for relief from domestic violence is initiated by the filing of a verified petition by the petitioner, or by the Division of Child Protective Services or the Division of Adult Protective Services, asking the court to issue a protective order against the respondent. (b) The petitioner need not reveal an address, place of residence, school or employment or the address or place where the petitioner's child or children receive child care or attend school, if it is alleged that disclosure of this information would endanger the petitioner. However, the Court may require the petitioner to reveal in confidence a current address or place of residence for the purpose of determining jurisdiction or venue. (c) A petition for a protective order may be filed in any county where the petitioner resides, the respondent resides, the alleged domestic violence occurred, or where the petitioner is temporarily located away from the residence to avoid domestic violence. (d) Forms and instructions for initiating a proceeding under this part shall be available from the Clerk of the Court. Assistance from court staff or court volunteers shall be available during business hours to assist the parties with all papers which may be filed in connection with a proceeding under this part. Any assistance or information provided by court staff or court volunteers under this part does not constitute the practice of law. (e) All forms and instructions developed for use by the parties to a proceeding under this part shall contain simple, understandable language.

§ 1043. Ex parte orders and emergency hearings.

(a) A petitioner may request an emergency protective order by filing an affidavit or verified pleading alleging that there is an immediate and present danger of domestic violence to the petitioner or to a minor child of the petitioner or to an infirm adult. (b) An emergency protective order may be issued on an ex parte basis, that is, without notice to the respondent, where the petitioner certifies in writing the efforts, if any, which have been made to give notice to the respondent or the reasons supporting the claim that notice should not be required. (c) An emergency hearing held on an ex parte basis shall be held the same day that the petition is filed or the next day that the Court is in session. All other emergency hearings shall be scheduled for an expedited hearing within 10 calendar days after the petition is filed. (d) In any case in which an ex parte protective order has been issued, a full hearing shall be held within 10 days. The Court may extend an ex parte order as needed, but not to exceed 30 days, to effectuate service of the order where necessary to provide protection. (e) If the Court finds by a preponderance of the evidence that the alleged domestic violence has occurred, or if the respondent consents to entry of a protective order, the Court shall grant any appropriate relief, including, but not limited to, the relief set forth in § [1045](#) of this title. (f) In those cases where the respondent is not present for the hearing, or where the hearing is held ex parte, any protective order issued shall be served immediately upon the respondent, in accordance with § [1065](#) of this title. A certified copy of the order shall also be given to the petitioner after the hearing, before leaving the courthouse. If the order recites that the respondent appeared in person before the Court, the necessity for further service is waived and proof of service of the order is not necessary; in those cases, the respondent shall be given a copy of the order before leaving the courthouse.

§ 1044. Nonemergency hearings.

(a) Upon receipt of a petition for a protective order, the Court shall order a hearing within 30 days. (b) If the Court finds by a preponderance of the evidence that the alleged domestic violence has occurred, or if the respondent consents to entry of a protective order, the Court shall grant any appropriate relief, including, but not limited to, the relief set forth in § [1045](#) of this title. (c) Service of the protective order, as well as provision of copies to the parties, shall take place in accordance with § [1043\(f\)](#) of this title.

§ 1045. Relief available; duration of orders, modification and termination.

(a) After consideration of a petition for a protective order, the Court may grant relief as follows: (1) Restrain the respondent from committing acts of domestic violence, as defined in § [1041](#) of this title; (2) Restrain the respondent from contacting or attempting to contact the petitioner; (3) Grant exclusive possession of the residence or household to the petitioner or other resident, regardless of in whose name the residence is titled or leased. Such relief shall not affect title to any real property; (4) Order that the petitioner be given temporary possession of specified personal property solely or jointly owned by respondent or petitioner, including but not limited to, motor vehicles, checkbooks, keys and other personal effects; (5) Grant temporary custody of the children of the parties to the petitioner or to another family member. Either party may request visitation at any time during the proceeding. The Court may provide for visitation by separate interim visitation order pursuant to [Title 13](#), which order shall be binding upon and enforceable against both parties. Such interim visitation order may include third party supervision of any visitation, if necessary, in accordance with Chapters 7 and 19 of [Title 13](#); (6) Order the respondent to pay support for the petitioner and/or for the parties' children, in accordance with [Chapter 5](#) of [Title 13](#), including temporary housing costs; (7) Order the respondent to pay to the petitioner or any other family member monetary compensation for losses suffered as a direct result of domestic violence committed by the respondent, including medical, dental and counseling expenses, loss of earnings or other support, cost of repair or replacement of real or personal property damaged or taken, moving or other travel expenses and litigation costs, including attorney's fees; (8) Order the respondent to temporarily relinquish to the sheriff, constable or to a police officer the respondent's firearms and to refrain from purchasing or receiving additional firearms for the duration of the order; (9) Prohibit the respondent from transferring, encumbering, concealing or in any way disposing of specified property owned or leased by parties; (10) Order the respondent, petitioner and other protected class members, individually and/or as a group, to participate in treatment or counseling programs; (11) Grant any other reasonable relief necessary or appropriate to prevent or reduce the likelihood of future domestic violence. (b) Relief granted under this section shall be effective for a fixed period of time, not to exceed 1 year, except that such order may be extended or modified by a further order of the Court as described in subsections (c) and (d) of this section. (c) An order issued under this part may be extended, for up to 6 months, or terms of the order modified, upon motion of either party. Hearings on such motions shall be scheduled within 30 days after proof of service on the respondent is filed. Such motions may be heard on an emergency basis if filed in accordance with § [1043](#) of this title. Orders may be extended only after

the Court finds by a preponderance of the evidence that domestic violence has occurred since the entry of the order, a violation of the order has occurred, if the respondent consents to the extension of the order or for good cause shown.(d) Only the Court shall modify an order issued under this part and the reconciliation of the parties shall have no effect on the validity of any of the provisions of such an order. The protective order may be modified or rescinded during the term of the order upon motion, after notice to all parties affected and a hearing.(e) Any subsequent support, custody or visitation order entered by the Court in any proceeding brought pursuant to [Title 13](#) shall supersede any relevant provisions regarding those issues which are included in a protection from abuse order, without the need to modify such protective order.

§ 1046. Enforcement; sanctions for violation of order.

(a) The Court may direct that pleadings and orders filed or issued under this part be served upon the respondent by the Sheriff or the Sheriff's deputy or by any person authorized by statute or court rule to serve process. (b) A copy of a protective order granted under this part shall be entered into the Delaware Justice Information System by the Court on or before the next business day. Entry into the Delaware Justice Information System constitutes notice to all law-enforcement agencies of the existence of the order. The order is fully enforceable in any county of the State.(c) It shall be the duty of any law-enforcement officer to arrest with or without a warrant any person whom the officer has probable cause to believe has violated a protective order issued by the Family Court or a court of any state, territory or Indian nation in the United States, and of which the person arrested has notice or knowledge. Probable cause for arrest may be established by a good faith reliance on information contained in DELJIS or on the existence of a foreign protective order. If an officer acts in good faith upon information contained in DELJIS or on reasonable belief in the existence of a domestic or foreign protective order, the officer shall be immune from suit. The person arrested shall be immediately taken before the Family Court. If the Family Court is not in session, the arrested person shall be taken before the nearest justice of the peace until bail is fixed. If bail is fixed the justice of the peace or judge shall take into consideration in determining the amount of bail whether the defendant has previously violated an existing protective order. (d) All protective orders issued under this part shall state that violations may result in: (1) A finding of contempt; (2) Criminal prosecution; and (3) Imprisonment or fine or both.(e) It shall be unlawful for a respondent to knowingly violate a protective order. Violations shall be punishable as a class A misdemeanor. Nothing in this subsection shall preclude the filing of a civil contempt petition by the petitioner for violations of a protective order issued under this part.

§ 1047. Nonpreclusion of remedies.

Nothing in this part shall preclude a petitioner or law enforcement officer from filing criminal charges when probable cause exists.

§ 1048. Jurisdiction.

The Family Court shall have jurisdiction of proceedings under this part.

PART E. APPEALS

§ 1051. Appeals generally.

(a) From any order, ruling, decision or judgment of the Court in any civil proceeding, including any delinquency proceeding, there shall be the right of appeal as provided by law to the Supreme Court. (b) From any order, ruling, decision or judgment of the Court in any criminal proceeding, there shall be the right of appeal in the first instance as provided by law to the Superior Court in the same county in which the case was adjudicated by the Court, with the further right of appeal as provided by law to the Supreme Court from an affirmance by the Superior Court of the order of the Court which was appealed, or from the entry of a judgment of conviction by the Superior Court upon a trial de novo on appeal to that Court. (c) An appeal shall be taken within 30 days from the date of the disposition, or within such time as provided by law. (d) No appeal shall stay the execution of any order of the Court unless such stay shall be specifically ordered by this Court in the first instance or by the appellate court.

§ 1052. Appeals from custody orders.

(a) Any order of the Court relative to the custody of any child shall be subject to review. (b) The child's parent, guardian, next friend or any interested person or agency, at any time within 30 days after the date of such order, may appeal to the Supreme Court. (c) In the case of an indigent person, the Court may, in its discretion, waive surety for costs upon affidavit by such person that the person is without funds and means of prosecuting the appeal. (d) The taxing of costs shall be within the discretion of the Supreme Court.

§ 1053. Appeals by the State in Family Court cases.

(a) An appeal may be taken by the State from the Family Court to an appellate court in the following instances: (1) *Appeal as of right.* a. The State shall have an absolute right to appeal to an appellate court a final order of the Family Court where the order constitutes a dismissal of a petition or information or any count thereof or the granting of any motion vacating any verdict or judgment of delinquency or conviction where the order of the Family Court is based upon the invalidity or construction of the statute upon which the petition or information is founded or where the order is based on lack of jurisdiction of the Family Court over the person or subject matter. b. Notwithstanding any section of this chapter to the contrary, the State shall have an absolute right to appeal to an appellate court from any order of the Family Court which grants an accused any of the following: a new trial or judgment of acquittal after a verdict or an adjudication of delinquency; a modification of a verdict or an adjudication of delinquency; an arrest of judgment; relief in any postconviction proceeding or in any action collaterally attacking a criminal judgment or an adjudication of delinquency; or any order or judgment declaring any act

of the General Assembly, or any portion of such act, to be unconstitutional under either the Constitution of the United States or the State of Delaware, inoperative or unenforceable, except that no appeal shall lie where otherwise prohibited by the double jeopardy clause of the Constitution of the United States or of this State.c. Notwithstanding any section of this chapter to the contrary, the State shall have an absolute right to appeal to an appellate court any ruling of the Family Court on a question of law or procedure adverse to the State in any case in which the accused was convicted or adjudicated delinquent and appeals from the judgment, except that the decision or result of the State's appeal shall not affect the rights of the accused unless the accused, on his or her appeal, is awarded a new trial or a new sentencing hearing. Once the State perfects its cross-appeal, the appellate court shall review and rule upon the questions presented therein regardless of the disposition of the accused's appeal.d. Notwithstanding any section of this chapter to the contrary, the State shall have an absolute right to appeal any sentence on the grounds that it is unauthorized by, or contrary to, any statute or court rule, in which case the decision or result of the State's appeal shall affect the rights of the accused. e. Any appeal brought by the State pursuant to subparagraph c. or d. of this subsection shall be personally authorized by either the Attorney General or the Chief Deputy Attorney General. (2) *Appeal in the discretion of the appellate court.* The State may apply to an appellate court to permit an appeal to determine a substantial question of law or procedure, and the appellate court may permit the appeal in its absolute discretion. The appellate court shall have the power to adopt rules governing the allowance of such an appeal; but in no event shall the decision or result of the appeal affect the rights of the appellee and he shall not be obligated to defend the appeal, but the appellate court may require the Public Defender of the State to defend the appeal and to argue the cause; provided, however, that if the order appealed from is an order suppressing or excluding substantial and material evidence the appellate court may permit an interlocutory appeal of any pretrial order, and if the order suppressing such evidence is reversed, the appellee may be subjected to a trial. (b) The State's rights of appeal in a delinquency proceeding provided under subsection (a) of this section shall be to the Supreme Court. The State's rights of appeal in a criminal proceeding provided under subsection (a) of this section shall be to the Superior Court in the first instance, with further rights of appeal to the Supreme Court as are provided under subsection (a) of this section, from an affirmance by the Superior Court of the order of the Family Court which was appealed.(c) The appeal or application for appeal shall be filed with the appellate court within 30 days from entry of the order appealed from, or, in any case in which the State elects to prosecute a cross appeal, notice of the cross appeal shall be filed within 30 days from the filing of a notice of appeal by the defendant.(d) "Order" for purposes of this section includes any judgment, order, ruling, decision, memorandum, opinion, or equivalent entry of the Court appealed from which constitutes a fixed determination by such Court.(e) The provisions of this section shall be liberally construed so as to afford the State the broadest possible right to appeal in a criminal case, but only to the extent permitted by the Constitution of the United States and the State of Delaware.

•*Contempt of a PFA Statute*

Title 11, § 1271A. Criminal contempt of a domestic violence protective order; class A misdemeanor.

(a) A person is guilty of criminal contempt of a domestic violence protective order when the person knowingly violates or fails to obey any provision of a protective order issued by the Family Court or a court of any state, territory or Indian nation in the United States, as long as such violation or failure to obey occurred in Delaware. (b) Criminal contempt of a domestic violence protective order is a class A misdemeanor. (c) A person found guilty of criminal contempt of a domestic violence protective order shall receive a minimum sentence of 15 days incarceration if: (1) Such contempt resulted in physical injury; or (2) Such contempt involved the use or threatened use of a deadly weapon; or (3) The defendant was convicted of criminal contempt of a domestic violence protective order under this section on 2 or more occasions prior to this violation. (d) The minimum sentence shall not be subject to suspension and no person subject to the minimum sentence shall be eligible for probation, parole, furlough or suspended custody during said sentence.

•*First Offenders Program Statute*

Title 10, § 1024. First offenders domestic violence diversion program.

(a) For the purposes of this section, domestic violence shall be considered as any act or acts committed by an adult member of a family against one or more members of the person's family, as that term is defined in [10 Del.C. § 901\(9\)](#), which constitute any of the following criminal offenses under Title 11: offensive touching (§ 601); menacing (§ 602); reckless endangering in the second degree (§ 603); assault in the third degree (§ 611); terroristic threatening (§ 621); vehicular assault in the second degree (§ 628); sexual harassment (§ 763); unlawful sexual contact in the third degree (§ 767); unlawful imprisonment in the second degree (§ 781); coercion (§ 791); reckless burning or exploding (§ 804); criminal mischief classified as a misdemeanor (§ 811); criminal trespass in the first, second or third degrees (§§ 821, 822, 823); harassment (§ [1311](#)); or aggravated harassment (§ [1312](#)). (b) Those acts of domestic violence for which an offender may elect to apply for first offender status under this rule shall be limited to the following criminal offenses under Title 11: offensive touching (§ 601); menacing (§ 602); sexual harassment (§ 763); criminal mischief classified as a misdemeanor (§ 811); criminal trespass in the first, second or third degrees (§§ 821, 822, 823); harassment (§ [1311](#)); or aggravated harassment (§ [1312](#)). (c) Any adult who: (1) Has not been convicted of a violent felony or any domestic violence offense under [Title 11](#) listed in subsection (a) of this section, or under any statute of the United States or of any state thereof including the District of Columbia relating to a violent felony or acts of domestic violence substantially similar to those criminal offenses listed in subsection (a) of this section; (2) Has not previously been afforded first offender treatment or other diversion programs for domestic violence; (3) Has been charged with a domestic violence offense listed in subsection (b) of this section; and (4) Has appeared at Family Court for a bail review/domestic violence interview, may qualify for the first offense election at the time of arraignment. (d) At the time of arraignment any person qualifying under subsection (c) of this section as a first offender and who elects to apply under this section shall admit to

the offense by entering a plea of guilty, as a first offender. The court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and shall place the offender on probation for a period of 1 year upon terms and conditions of which shall include but not be limited to:(1) Enrollment with a counseling service for the purposes of evaluation and such counseling services as the evaluation counselor deems necessary;(2) Satisfactory completion of the counseling program;(3) Evaluation for alcohol and other drug abuse, and successful completion of a course of treatment as may be indicated by the evaluation; (4) Restitution, where appropriate, to the victim; (5) No unlawful contact with the victim during the period of probation; and (6) Other such terms and conditions as the Court may impose. (e) If a term or condition of probation is violated, including failure to appear for evaluation at an assigned evaluating agency, the offender shall be brought before the Court, or if the offender fails to appear before the Court, in either case, upon a determination by the Court that the terms have been violated, the Court shall enter an adjudication of guilty and proceed as otherwise provided under [Title 11](#).(f) Upon fulfillment of the terms and conditions of probation, including, but not limited to, satisfactory completion of courses of instruction and/or programs of counseling/rehabilitation, and payment of all costs and fees, the court shall discharge the person and dismiss the proceedings against the offender and shall simultaneously therewith submit to the Attorney General a report thereof which shall be retained by the Attorney General for use in future proceedings, if required. (g) Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualification or disabilities imposed by law upon conviction of a crime, except the additional penalties imposed for second or subsequent offenses under [Title 11](#). (h) Any person who elects to apply for first offender status shall by said application be deemed to have waived the right to a speedy trial and further agrees to pay the cost of prosecution as a condition. If a person elects not to apply for first offender status or if the application is not accepted, the matter shall be promptly scheduled for trial. (i) There may be only 1 discharge and dismissal under this section with respect to any person.

•*Misdemeanor Arrest Statute for Domestic Violence*

Title 11, § 1904. Arrest without warrant.

(a) An arrest by a peace officer without a warrant for a misdemeanor is lawful whenever the officer has reasonable ground to believe that the person to be arrested has committed a misdemeanor:(1) In the officer's presence; (2) Out of the officer's presence and without the State, and if law-enforcement officers of the state where the misdemeanor was committed request an arrest and the accused will not be apprehended unless immediately arrested; (3) Out of the officer's presence and within the State for the crime of shoplifting and the arrest is based upon personal investigation at the scene of arrest and where a store employee is present who has observed the activity of the person to be arrested and that person is still present; (4) Out of the officer's presence and within the State for any misdemeanor involving physical injury or the threat thereof or any misdemeanor involving illegal sexual contact or attempted sexual contact;(5) Out of the officer's presence and within the State for a violation of a protective order issued by Family Court or a court of any state, territory, or Indian nation in the United States; or (6) Out of the officer's presence and within the State for any misdemeanor occurring on

school property.(b) An arrest by a peace officer without a warrant for a felony, whether committed within or without the State, is lawful whenever: (1) The officer has reasonable ground to believe that the person to be arrested has committed a felony, whether or not a felony has in fact been committed; or (2) A felony has been committed by the person to be arrested although before making the arrest the officer had no reasonable ground to believe the person committed it. (c) Notwithstanding any other provision of law to the contrary, an arrest by a peace officer without a warrant for violation of probation is lawful whenever the peace officer has a reasonable ground to believe that the person to be arrested has committed a new offense within or without the State during a period of probation and has thereby violated a condition of said probation imposed upon the person by a court of this State. A reasonable ground to believe that a person has committed a new offense may be based upon, but is not limited to, a finding of probable cause to issue a warrant for the new offense made by a neutral magistrate, an indictment returned by a grand jury for the new offense or an information for the new offense filed in any court. Any person arrested pursuant to the provisions of this subsection shall be processed in accordance with the provisions of § [1909](#) of this title, at which time bail shall be set on both the new offense and the violation of probation.

•*Child protection from Domestic Abuse Statute*

Title 13, § 701A.

This chapter shall be known as and may be cited as the "Child Protection From Domestic Violence Act".

§ 702A. Purpose.

The purpose of this chapter is to protect children from domestic violence and the harm caused by experiencing domestic violence in their homes.

§ 703A. Definitions.

(a) "Domestic violence" includes but is not limited to physical or sexual abuse or threats of physical or sexual abuse and any other offense against the person committed by 1 parent against the other parent, against any child living in either parent's home, or against any other adult living in the child's home. "Domestic violence" does not include reasonable acts of self-defense by 1 parent for self-protection or in order to protect the child from abuse or threats of abuse by the other parent or other adult living in the child's home.(b) "Perpetrator of domestic violence" means any individual who has been convicted of committing any of the following criminal offenses in the State, or any comparable offense in another jurisdiction, against the child at issue in a custody or visitation proceeding, against the other parent of the child, or against any other adult or minor child living in the home: (1) Any felony level offense; (2) Assault in the third degree; (3) Reckless endangering in the second degree; (4) Reckless burning or exploding; (5) Unlawful imprisonment in the second degree; (6) Unlawful sexual contact in the third degree; or (7) Criminal contempt of Family Court protective order based on an assault or other physical abuse, threat of assault or other physical abuse or any other actions placing the petitioner in immediate risk or fear of bodily harm.

§ 704A. Fleeing from domestic violence.

For purposes of this title, it shall not be considered evidence of abandonment in any child custody or visitation proceeding if a parent flees from domestic violence and temporarily leaves the child behind, as long as that child is not left in immediate danger of serious physical injury.

§ 705A. Rebuttable presumption against custody or residence of minor child to perpetrator of domestic violence.

(a) Notwithstanding other provisions of this title, there shall be a rebuttable presumption that no perpetrator of domestic violence shall be awarded sole or joint custody of any child. (b) Notwithstanding other provisions of this title, there shall be a rebuttable presumption that no child shall primarily reside with a perpetrator of domestic violence. (c) The above presumptions shall be overcome if there have been no further acts of domestic violence and the perpetrator of domestic violence has: (1) successfully completed a program of evaluation and counselling designed specifically for perpetrators of family violence and conducted by a public or private agency or a certified mental health professional; and (2) successfully completed a program of alcohol or drug abuse counselling if the Court determines that such counselling is appropriate; and (3) demonstrated that giving custodial or residential responsibilities to the perpetrator of domestic violence is in the best interests of the child. The presumption may otherwise be overcome only if a judicial officer finds extraordinary circumstances that warrant the rejection of the presumption, such as evidence demonstrating that there exists no significant risk of future violence against any adult or minor child living in the home or any other family member, including any ex-spouse. (d) In those cases in which both parents are perpetrators of domestic violence, the case shall be referred to the Division of Family Services of the Department of Services for Children, Youth and their Families for investigation and presentation of findings. Upon consideration of such presentation, and all other relevant evidence, including but not limited to, evidence about the history of abuse between the parents and evidence regarding whether 1 parent has been the primary aggressor in the household, the Court shall decide custody and residence pursuant to the best interests of the child.

§ 706A. Evidence of domestic violence.

(a) Any evidence of a past or present act of domestic violence, whether or not committed in the presence of the child, is a relevant factor that must be considered by the Court in determining the legal custody and residential arrangements in accordance with the best interests of the child. (b) If sole or joint custody is awarded to, or if primary residence of a child is placed with, a party notwithstanding evidence that the party has committed acts of domestic violence against the other parent, against the child or against any other person living in the child's household, the Court shall make specific written findings in support of the decision to award custody or primary residence to that party.

§ 707A. Counselling.

If the Court awards sole or joint custody or primary residence to a parent who has a history of committing acts of domestic violence, that parent shall be ordered to complete a program of evaluation and counselling designed specifically for perpetrators of family violence and conducted by a public or private agency or a certified mental health professional. That parent may also be ordered to attend alcohol or drug abuse treatment and any other counselling that may be appropriate.

§ 708A. Visitation.

Notwithstanding the other provisions of this title, in all cases in which the Court finds by a preponderance of the evidence that 1 of the child's parents has committed an act of domestic violence against the child, against the other parent or against any other person living in the child's household the Court shall determine a schedule, location and conditions for visitation that best protects the child and the victim of domestic violence from further violence.

§ 709A. Modification of orders.

Notwithstanding other provisions of this title: (1) An order concerning visitation may be modified at any time if necessary to protect the safety of the child or the child's parent in light of acts of domestic violence that have occurred since the entry of the most recent visitation order. (2) A custody order may be modified at any time if a parent who has sole or joint custody has committed acts of domestic violence since the entry of the most recent custody order. (3) In determining whether a custody award should be modified, the Court shall not consider noncompliance with an existing custody or visitation order or noncompliance with the duties and responsibilities under § [727](#) of this title if such noncompliance was caused by the parent's attempt at self-protection or protection of the child from acts of domestic violence committed since the entry of the Court's most recent custody or visitation order.

§ 710A. Sexual abuse.

If the Court finds by a preponderance of the evidence that a parent has sexually abused a child, the Court shall prohibit all visitation and contact between the abusive parent and the child until such time as the Court finds, after a hearing, that supervised visitation would not harm, endanger or impair the child's physical, psychological or emotional well-being. In determining whether such visitation may be appropriate, the Court should consider all relevant factors, including: (1) Whether the abusive parent has successfully completed a treatment program of evaluation and counselling that is specifically designed for sexual abusers and is conducted by a public or private agency or a certified mental health professional; (2) Whether the abusive parent has successfully completed a program of alcohol or drug abuse counselling; (3) Any testimony by a mental health professional who is the therapist for the abused child; (4) Any testimony by a mental health professional who is the therapist for the abusive parent; and (5) Whether supervised

visitation is in the child's best interests. Nothing in this section shall preclude the Court from denying visitation under other appropriate circumstances, including denying such visitation under an ex parte or other emergency order.

§ 711A. Ordered mediation prohibited.

Notwithstanding any other provision of law to the contrary, Family Court mediation conferences shall be prohibited in any child custody or visitation proceeding in which 1 of the parties has been found by a court, whether in that proceeding or in some other proceeding, to have committed an act of domestic violence against the other party or if either party has been ordered to stay away or have no contact with the other party, unless a victim of domestic violence who is represented by counsel requests such mediation.

•*Fatal Incident Review Statute*

Title 13, § 2105. Fatal incident reviews.

(a) The Council shall have the power to investigate and review, through a review panel, the facts and circumstances of all deaths that occur in Delaware as a result of domestic violence. This review shall include both homicides and suicides resulting from domestic violence. The review of deaths involving criminal investigations will be delayed for at least 6 months, and will under no circumstances begin until authorized by the Attorney General's office. Any case involving the death of a minor (any child under the age of 18) related to domestic violence will be reviewed jointly by the appropriate regional panel of the Child Death Review Commission and the domestic violence fatal incident review panel. The death of a minor will only be reviewed by the domestic violence fatal incident review panel where the minor's parents or guardians were involved in an abusive relationship and the minor's death is directly related to that abuse. (b) There shall be a Fatal Incident Review Team that will be co-chaired by 2 members of the Coordinating Council to be elected by the Council. In addition to the co-chairs, the Review Team shall consist of 6 other core members: the Attorney General or his or her designee, the Director of the Division of Family Services or his or her designee, the chair of the Domestic Violence Task Force or his or her designee, the Chief Judge of the Family Court or his or her designee, the Chief Magistrate of the Justice of the Peace Courts or his or her designee and a law enforcement officer to be appointed by the Delaware Chiefs of Police Council. All members of the Review Team, plus other individuals invited to participate, shall be considered part of the review panel for a particular case or incident. The Review Team shall invite other law enforcement personnel to serve and participate as full members of a review panel in any case in which a law enforcement agency has investigated the death under review or any prior domestic violence incident involving the decedent. The Review Team may also invite other relevant persons to serve on an ad-hoc basis and participate as full members of the review panel for a particular review. Such persons may include, but are not limited to, individuals with particular expertise that would be helpful to the review panel, representatives from those organizations or agencies that had contact with or provided services to the individual prior to his or her death, that individual's abusive partner or family member and/or the alleged perpetrator of the death. (c) A review panel shall be convened by the co-chairs of the Review Team on an as-needed basis and may also be convened by any 2 other members of the Review

Team.(d) As part of any review, a review panel shall have the power and authority to administer oaths and to compel the attendance of witnesses whose testimony is related to the death under review and the production of records related to the death under review by filing a praecipe for a subpoena, through the office of the Attorney General, with the Prothonotary of any County of this State. Such a subpoena will be effective throughout the State and service of such subpoena will be made by any sheriff. Failure to obey such a subpoena will be punishable according to the Rules of the Superior Court. (e) Each review panel shall prepare a report, to be maintained by the Review Team, including a description of the incident reviewed, and the findings and recommendations of the review panel.(f) Findings and recommendations by the panel shall be adopted only upon a 60 percent vote of participating members of the review panel.(g) The Review Team shall establish rules and procedures to govern each review prior to the first review to be conducted. The Review Team shall issue an annual report to the Domestic Violence Coordinating Council summarizing in an aggregate fashion all findings and recommendations made over the year by each review panel and describing any systemic changes that were effectuated as a result of the panels' work. The report shall not identify the specific case or case review that led to such findings and recommendations.(h) The review process, and any records created therein, shall be exempt from the provisions of the Freedom of Information Act in [Chapter 100](#) of [Title 29](#). The records of any such review, including all original documents and documents produced in the review process with regard to the facts and circumstances of each death, shall be confidential, shall be used by the Coordinating Council only in the exercise of its proper function and shall not be disclosed. The records and proceedings shall not be available through court subpoena and shall not be subject to discovery. No person who participated in the review nor any member of the Domestic Violence Coordinating Council shall be required to make any statement as to what transpired during the review or information collected during the review. Statistical data and recommendations based on the reviews, however, may be released by the Coordinating Council at its discretion.(i) Members of the Domestic Violence Coordinating Council, members of the Review Team and members of each review panel, as well as their agents or employees, shall be immune from claims and shall not be subject to any suits, liability, damages or any other recourse, civil or criminal, arising from any act, proceeding, decision or determination undertaken or performed or recommendation made, provided such persons acted in good faith and without malice in carrying out their responsibilities; good faith is presumed until proven otherwise, with the complainant bearing the burden of proving malice or a lack of good faith. No organization, institution or person furnishing information, data, testimony, reports or records to the review panels or the Coordinating Council as part of such an investigation shall, by reason of furnishing such information, be liable in damages or subject to any other recourse, civil or criminal.

•*Endangering the Welfare of Children Statute*

Title 11, § 1102. Endangering the welfare of a child; class E or G felony.

(a) A person is guilty of endangering the welfare of a child when: (1) Being a parent, guardian or other person legally charged with the care or custody of a child less than 18 years old the person: a. Knowingly acts in a manner likely to be injurious to the physical, mental or moral welfare of the child; or b. Intentionally does or fails to do any act, with

the result that the child becomes a neglected child; or (2) The person knowingly contributes to the delinquency of any child less than 18 years old by doing or failing to do any act with the result, alone or in conjunction with other acts or circumstances, that the child becomes a delinquent child; or (3) The person knowingly encourages, aids, abets or conspires with the child to run away from the home of the child's parents, guardian or custodian; or the person knowingly and illegally harbors a child who has run away from home; or **(4) The person commits any violent felony, or reckless endangering second degree, assault third degree, terroristic threatening, or unlawful imprisonment second degree against a victim, knowing that such felony or misdemeanor was witnessed by a child less than 18 years of age who is a member of the person's family or the victim's family.** (5) The person commits the offense of Driving Under the Influence as set forth in § [4177](#) of [Title 21](#), or the offense of Operating a Vessel or Boat Under the Influence as set forth in § [2302](#) of [Title 23](#), and during the commission of the offense knowingly permits a child less than 18 years of age to be a passenger in or on such vehicle, vessel or boat. (6) The person commits any offense set forth in [Chapter 47](#) of [Title 16](#) in any dwelling, knowing that any child less than 18 years of age is present in the dwelling at the time. (b) Endangering the welfare of a child shall be punished as follows: (1) When the death of a child occurs while the child's welfare was endangered as defined in subsection (a) of this section, endangering the welfare of a child is a class E felony; (2) When serious physical injury to a child occurs while the child's welfare was endangered as defined in subsection (a) of this section, endangering the welfare of a child is a class G felony; (3) In all other cases, endangering the welfare of a child is a class A misdemeanor. (c) For the purpose of imposing the penalties prescribed in paragraph (b)(1) or (b)(2) of this section, it is not necessary to prove the person's state of mind or liability for causation with regard to the resulting death or serious physical injury of the child, notwithstanding the provisions of §§ [251](#), [252](#), [261](#), [262](#), [263](#) or [264](#) of this title, or any other statutes to the contrary.

•*Firearms Prohibition Statute*

Title 11, § 1448. Possession and purchase of deadly weapons by persons prohibited; class F felony or class D felony.

(a) Except as otherwise provided herein, the following persons are prohibited from purchasing, owning, possessing or controlling a deadly weapon or ammunition for a firearm within the State: (1) Any person having been convicted in this State or elsewhere of a felony or a crime of violence involving physical injury to another, whether or not armed with or having in possession any weapon during the commission of such felony or crime of violence; (2) Any person who has ever been committed for a mental disorder to any hospital, mental institution or sanitarium, unless the person possesses a certificate of a medical doctor or psychiatrist licensed in this State that the person is no longer suffering from a mental disorder which interferes or handicaps the person from handling deadly weapons; (3) Any person who has been convicted for the unlawful use, possession or sale of a narcotic, dangerous drug or central nervous system depressant or stimulant as those terms were defined prior to the effective date of the Uniform Controlled Substances Act in June 1973 or of a narcotic drug or controlled substance as defined in [Chapter 47](#) of [Title 16](#); (4) Any person who, as a juvenile, has been adjudicated as delinquent for conduct which, if committed by an adult, would constitute a felony, unless and until that

person has reached their 25th birthday; (5) Any juvenile, if said deadly weapon is a handgun, unless said juvenile possesses said handgun for the purpose of engaging in lawful hunting, instruction, sporting or recreational activity while under the direct or indirect supervision of an adult. For the purpose of this subsection, a handgun shall be defined as any pistol, revolver or other firearm designed to be readily capable of being fired when held in 1 hand; **(6) Any person who is subject to a Family Court protection from abuse order (other than an ex parte order), but only for so long as that order remains in effect or is not vacated or otherwise terminated, except that this paragraph shall not apply to a contested order issued solely upon § 1041(1)d., e., or h. of Title 10, or any combination thereof; or (7) Any person who has been convicted in any court of any misdemeanor crime of domestic violence. For purposes of this paragraph, the term "misdemeanor crime of domestic violence" means any misdemeanor offense that:****a. Was committed by a member of the victim's family, as "family" is defined in § 901(9) of Title 10 (regardless, however, of the state of residence of the parties); by a former spouse of the victim; by a person who co-habitated with the victim at the time of the offense; or by a person with a child in common with the victim; and b. Is an offense as defined under § 601, § 602, § 603, § 611, § 614, § 621, § 625, § 628, § 763, § 765, § 766, § 767, § 781, § 785 or § 791 of this title, or any similar offense when committed or prosecuted in another jurisdiction.**

(b) Any prohibited person as set forth in subsection (a) of this section who knowingly possesses, purchases, owns or controls a deadly weapon or ammunition for a firearm while so prohibited shall be guilty of possession of a deadly weapon or ammunition for a firearm by a person prohibited.

(c) Possession of a deadly weapon by a person prohibited is a class F felony, unless said deadly weapon is a firearm or ammunition for a firearm, in which case it is a class D felony. As used herein, the word "ammunition" shall mean 1 or more rounds of fixed ammunition designed for use in and capable of being fired from a pistol, revolver, shotgun or rifle but shall not mean inert rounds or expended shells, hulls or casings.

(d) Any person who is a prohibited person solely as the result of a conviction for an offense which is not a felony shall not be prohibited from purchasing, owning, possessing or controlling a deadly weapon or ammunition for a firearm if 5 years have elapsed from the date of conviction.

(e) Any person who is a prohibited person as described in this section because of a conviction for a felony involving physical injury or violence to another, or because of a conviction for a felony involving conduct as described in subsection (a)(3) of this section, and who knowingly possesses, purchases, owns or controls a firearm or ammunition for a firearm while so prohibited shall receive a minimum sentence of 1 year of Level V. Any sentence imposed pursuant to this subsection shall not be subject to the provisions of §§ [4205\(b\)](#) and [4215](#) of this title.

(f) (1) Upon conviction, any person who is a prohibited person as described in subsection (a)(5) of this section and who is 14 years of age or older shall, for a first offense, receive a minimum sentence of 6 months of Level V incarceration, and shall receive a minimum sentence of 1 year of Level V incarceration for a second and subsequent offense, which shall not be subject to suspension. Any sentence imposed pursuant to this subsection shall not be subject to §§ [4205\(b\)](#) and [4215](#) of this title.

(2) The penalties prescribed by this subsection and subsection (g) of this section shall be imposed regardless of whether or not the juvenile is determined to be amenable to the rehabilitative process of the Family Court pursuant to § [1010\(c\)](#) of [Title 10](#) or any successor statute.

(g) In addition to the

penalties set forth in subsection (f) of this section herein, a person who is a prohibited person as described in subsection (a)(5) of this section and who is 14 years of age or older shall, upon conviction of a first offense, be required to view a film and/or slide presentation depicting the damage and destruction inflicted upon the human body by a projectile fired from a gun, and shall be required to meet with, separately or as part of a group, a victim of a violent crime, or with the family of a deceased victim of a violent crime. The Division of Youth Rehabilitative Service, with the cooperation of the Office of the Chief Medical Examiner and the Violent Crimes Compensation Board, shall be responsible for the implementation of this subsection.

•*Full Faith and Credit Statute*

Title 10, § 1046. Enforcement; sanctions for violation of order.

(a) The Court may direct that pleadings and orders filed or issued under this part be served upon the respondent by the Sheriff or the Sheriff's deputy or by any person authorized by statute or court rule to serve process. (b) A copy of a protective order granted under this part shall be entered into the Delaware Justice Information System by the Court on or before the next business day. Entry into the Delaware Justice Information System constitutes notice to all law-enforcement agencies of the existence of the order. The order is fully enforceable in any county of the State. **(c) It shall be the duty of any law-enforcement officer to arrest with or without a warrant any person whom the officer has probable cause to believe has violated a protective order issued by the Family Court or a court of any state, territory or Indian nation in the United States, and of which the person arrested has notice or knowledge. Probable cause for arrest may be established by a good faith reliance on information contained in DELJIS or on the existence of a foreign protective order. If an officer acts in good faith upon information contained in DELJIS or on reasonable belief in the existence of a domestic or foreign protective order, the officer shall be immune from suit. The person arrested shall be immediately taken before the Family Court. If the Family Court is not in session, the arrested person shall be taken before the nearest justice of the peace until bail is fixed. If bail is fixed the justice of the peace or judge shall take into consideration in determining the amount of bail whether the defendant has previously violated an existing protective order.**(d) **All protective orders issued under this part shall state that violations may result in: (1) A finding of contempt; (2) Criminal prosecution; and (3) Imprisonment or fine or both.** (e) **It shall be unlawful for a respondent to knowingly violate a protective order. Violations shall be punishable as a class A misdemeanor. Nothing in this subsection shall preclude the filing of a civil contempt petition by the petitioner for violations of a protective order issued under this part.**

- ***Caller Identification Service***

Title 26 § 920. Definitions.

(a) The term "caller identification" means the transmission of information that identifies the originator of a communication to the recipient of the communication via an electronic signal which is decoded by a customer provided display unit which displays, records or forwards the caller's telephone number or other identifying information. Such term shall not include: (1) An internal office system, including but not limited to, a centrex or private branch exchange (PBX) system or virtual private network; (2) An identification system used for emergencies, such as an emergency telephone line used by a public agency or a 911 emergency telephone service; (3) Any identification service provided with legally sanctioned call tracing or tapping procedures; or (4) Any automatic number identification service or technology. (b) The term "automatic number identification service" means an access signaling protocol in common use by common carriers that uses an identifying signal associated with the use of a subscriber's telephone to provide billing information or other information to the local exchange carrier or any other interconnecting carriers. (c) The term "blocking" means a service that allows the originator of a call to prevent or control the transmission of information that identifies the originator to the recipient of the call.

§ 921. Per line blocking.

Every provider of electronic or wire communication services that provides a caller identification service shall provide blocking on a per line basis without charge at the request of an originator that is a victim of domestic violence protected by a court order, a victim's service program or a battered women's shelter or other organization providing safe haven for victims of domestic violence.

- ***Disturbing the peace***

Title 13 §1509 Preliminary injunction; interim orders pending final hearing.

(a) Upon the filing of a petition for divorce or annulment, a preliminary injunction shall be issued against both parties to the action, enjoining them from: (1) Transferring, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life, and requiring the parties to notify the other of any proposed extraordinary expenditures and to account to the Court for all extraordinary expenditures after the preliminary injunction becomes effective; (2) Molesting or disturbing the peace of the other party; (3) Removing any natural or adopted child of the parties then residing in Delaware from the jurisdiction of this Court without the prior written consent of the parties or the permission of the Court; (4) Utilizing credit cards or otherwise incurring any debt for which the other party is or may be liable except in connection with the marital litigation or necessities of life for the

benefit of the party or the parties' minor children. The preliminary injunction shall be effective against the petitioner upon the filing of the petition for divorce and upon the respondent upon service of a copy of the petition. (b) Petitioner in the petition for divorce or annulment, or by motion filed simultaneously with the petition, or either party by motion filed after the filing of the petition, may move for 1 or more of the following interim orders:(1) For temporary alimony for himself or herself;(2) Restraining a party from transferring, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life, and, if so restrained, requiring him or her to notify the moving party of any proposed extraordinary expenditures and to account to the Court for all extraordinary expenditures made after the order is issued;(3) Enjoining a party from molesting or disturbing the peace of the other party;(4) Excluding a party from the family home or from the home of the other party even though such party has a legal or equitable interest in the same, upon a showing that physical or emotional harm might otherwise result;(5) Requiring a party to make available to his or her spouse designated personal property and/or fixtures, even though titled in such party's name alone or jointly with someone else, upon such terms and conditions as the Court may impose;(6) Requiring 1 party to pay such sum to the other party as deemed necessary to defray the other party's expenses in conducting the proceedings;(7) For support of a child under [Chapter 5](#) of this title;(8) For custody and/or visitation of a child under [Chapter 7](#) of this title. (c) A motion shall be accompanied by an affidavit setting forth the factual basis for the motion and any amounts of money requested. The Court may issue any of the above orders solely or collectively without requiring notice to the other party only if it finds on the basis of the moving affidavit or other evidence that irreparable injury would result to the moving party if an order were not issued until the time for responding has elapsed.(d) Where appropriate under the facts and law, relief afforded a party under paragraphs (1), (3), (4) and/or (5) of subsection (b) of this section may be continued and/or included in the relief granted under § [1518\(b\)](#) of this title.

•Reports of certain wounds, injuries, poisonings or other conditions

Title 24 §1762 Reports of treatment of certain wounds, injuries, poisonings or other conditions.

- (a) Every physician attending or treating a stab wound, poisoning by other than accidental means, or a case of bullet wounds, gunshot wounds, powder burns or other injury arising from or caused by the discharge of a gun, pistol or other firearm or whenever such case is treated in a hospital, sanitarium or other institution, the manager, superintendent or other person in charge shall report such case as soon as possible to the appropriate police authorities where such physician, hospital, sanitarium or institution is located. This section shall not apply to such wounds, burns, poisonings or injuries received by a member of the armed forces of the United States or the State while engaged in the actual performance of duty. Whoever fails to make such report shall be fined no less than \$25.
- (b) Any physician or other person who makes a report pursuant to this section shall be

immune from an award of damages, providing such physician or other person acted in good faith without malice.

•*Unfair methods of competition*

Title 18 § 2304 (24) Unfair methods of competition and unfair or deceptive acts or practices defined.

The following are hereby defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

(24) *Discriminatory practices against victims of abuse regarding life and health insurance.* A person or entity engaged in the business of life and/or health insurance in this State may not: a. Deny, refuse to issue, refuse to renew, refuse to reissue, cancel or otherwise terminate an insurance policy or restrict coverage on any individual because that individual is, has been or may be the subject of abuse or seeks, has sought or should have sought, medical or psychological treatment for abuse, protection from abuse or shelter from abuse; b. Add any surcharge or rating factor to a premium of an insurance policy because of an individual's history of, status as, or potential to be subject to abuse; c. Exclude or limit coverage for losses or deny a claim incurred by an insured as a result of abuse or the potential for abuse; or d. Ask an insured or an applicant for insurance whether that individual is, has been or may be the subject of abuse, or seeks, has sought or should have sought medical or psychological treatment specifically for abuse, protection from abuse or shelter from abuse.

For further information visit the
Mid-Atlantic Region Full Faith and Credit web site at

<http://www.state.de.us/midatlanticffc/>